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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/880,140 | 06/14/2001 | Felice Vinati | 34752/GM/ch | 5740 |

7590 12/23/2004
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EXAMINER

HUA, LY

| | |
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| ART UNIT | PAPER NUMBER |
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2135

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 09/880,140 | Applicant(s) VINATI ET AL. | |
| | Examiner Ly V. Hua | Art Unit 2135 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 5-8 is/are rejected.
- 7) ☒ Claim(s) 3, 4 and 9 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>5/24/2002</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Note: The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 2, 5-7 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Skopp et al (6,256,739).

3. As to claim 1, Skopp et al (6,256,739) teaches [col. 7, lines 40-62] a method
 - a. for controlling [i.e., limiting to a limited] the time which a user spends connected to a data communication network -- [col. 7, lines 40-62],
 - b. comprising the steps of:
 - i. upon connection of a user to a data communication network,
 - (1) determining a profile of the user by determining an age group to which the user belongs -- [e.g., 25-35 for example at line 33 of col. 7];
 - (2) calculating a time that said user has spent connected to the data communications network -- [inherent in order to limit the user to "no more than 10 minutes" (col. 7, line 56-57)]; and
 - (3) comparing said connection time with a table which contains connection times which are predefined according to different age groups of the user -- [inherent in order to know when the user has depleted the limit set for his/her age group];
 - (4) if said connection time is greater than a maximum allowable time for the age group of said user, automatically interrupting the connection to said data communications network -- [inherently in order to enforce the policy of limiting thus user to the set minutes for spending time on a data communication network].
4. As to claim 2:
 - a. Claim 2 claims:
 - i. 2. The method according to claim 1, wherein the step of calculating said connection time comprises the step of calculating said connection time by taking into account all the connections established during a given time interval, said connection time being constituted by a sum of connection times of all of said connections.
 - b. Skopp teaches that the set 10 example minutes limit includes can be applied to a single web page or a group of web pages -- (each of which page is taken to be a single connection).
5. With regard to claims 5-7:
 - a. These claims claim:
 - i. 5. The method according to claim 1, wherein a total duration of the connections established by the user during said given time interval cannot exceed a maximum connection time that is allowable in relation to the age group of said user.
 - ii. 6. The method according to claim 5, wherein said table that contains maximum allowable connection times according to the age group of said user is determined in advance by the provider of the services for connection to the data communication network.
 - iii. 7. The method according to claim 6, wherein said table that contains the maximum allowable connection times according to the age group of said user can be predefined by the users.
 - b. Skopp teaches [col. 7, lines 40-62] that 10 minutes is set for the age group of 25 and 35, which setting is inherently set in advance, and thus user is limited to that number of minutes for accessing web-pages.
6. As to claim 8:
 - a. Claim 8 claims a device
 - i. for controlling [limiting to a limited] a time that a user spends connected to a data communications network -- [col. 7, lines 40-62],
 - ii. comprising:
 - (1) means for identifying a profile of the user connected to said data communication network;
 - (2) means for calculating a time for which said user is connected to said data communication network;
 - (3) means for comparing said connection time with a table which contains maximum allowable connection times according to an age group of said user;
 - (4) means for automatically disconnecting said user from said data communication network if said user connection time exceeds said maximum allowable connection time for the age group of said user.
 - b. Claim 8 has limitations that are similar to those of claim 1 and thus is rejected with the same reasons applied against claim 1.

7. Claim 3, 4 and 9 are objected to as they depend on rejected claims.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ly V. Hua whose telephone number is 571-272-3853. The examiner can normally be reached on Monday to Friday from 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Kim, can be reached on 571-272-3858. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

10. The applicant is hereby notified that:

a. The new phone number for TC 2100 receptionist is (571) 272-2100.



Ly V. Hua
Primary Examiner
Art Unit 2135

Lvh

December 13, 2004